

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:21-cr-20406-1

v.

Honorable Thomas L. Ludington
United States District Judge

DANIEL MARIN,

Defendant.

Honorable Patricia T. Morris
United States Magistrate Judge

**ORDER ADOPTING REPORT AND RECOMMENDATION, ACCEPTING GUILTY
PLEA, AND TAKING RULE 11 PLEA AGREEMENT UNDER ADVISEMENT,
DENYING AS MOOT DEFENDANT’S MOTIONS TO RAISE ENTRAPMENT
DEFENSE, TO EXCLUDE EVIDENCE, FOR APPOINTMENT OF INVESTIGATOR,
TO STRIKE 851-ENHANCEMENT NOTICE, AND TO PRODUCE SEARCH
WARRANTS AND AFFIDAVITS**

Magistrate Judge Patricia T. Morris conducted a plea hearing upon Defendant Daniel Marin’s consent. ECF Nos. 202; 213. On March 23, 2023, Judge Morris issued a report recommending the acceptance of Defendant’s guilty plea. ECF No. 215. Judge Morris gave the Parties 14 days to object, but they did not do so. They have therefore forfeited their right to appeal Judge Morris’s findings that Defendant was competent to enter a plea and did so knowingly, voluntarily, and with a basis in fact. *See* FED. R. CRIM. P. 11(b); *Berkshire v. Dahl*, 928 F.3d 520, 530–31 (6th Cir. 2019) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)).

Accordingly, it is **ORDERED** that Judge Morris’s Report and Recommendation, ECF No. 215, is **ADOPTED**.

Further, it is **ORDERED** that Defendant’s guilty plea is **ACCEPTED**, and that the Rule 11 Plea Agreement, ECF No. 202, is **TAKEN UNDER ADVISEMENT**.

Further, it is **ORDERED** that Defendant's Motion to Raise Entrapment Defense, ECF No. 114, is **DENIED AS MOOT**.

Further, it is **ORDERED** that Defendant's Renewed Motion to Exclude Evidence, ECF No. 116, is **DENIED AS MOOT**.

Further, it is **ORDERED** that Defendant's Renewed Motion for Appointment of Investigator, ECF No. 117, is **DENIED AS MOOT**.

Further, it is **ORDERED** that Defendant's Motion to Strike 851-Enhancement Notice, ECF No. 120, is **DENIED AS MOOT**.

Further, it is **ORDERED** that Defendant's Motion to Produce Search Warrants and Affidavits, ECF No. 123, is **DENIED AS MOOT**.

Dated: April 7, 2023

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge